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Box SEQ / #7

Docket No. 1151-4153US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Chang Yi Wang et al.

Group Art Unit: TBA

Serial No.: 09/701,623

Examiner: TBA

Filed: June 21, 1999

For: Peptide Composition As Immunogen for the Treatment of Allergy

EXPRESS MAIL CERTIFICATE

Express Mail Label No.: EF 098 975 375US

Date of Deposit: August 9, 2001

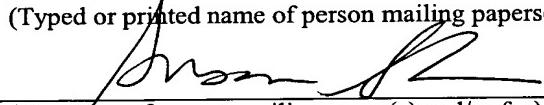
I hereby certify that the following attached paper(s) and/or fee

1. Response to Notification of A Defective Response;
2. Copy of Notice of Defective Response;
3. Copy of Notification to Comply with Requirements for Patent Application;
4. Statement under 37 CFR 1.821(f);
5. Substitute Sequence Listing;
6. Substitute Computer Readable Diskette;
7. Return Postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Susan Shen

(Typed or printed name of person mailing papers(s) and/or fee)

  
(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

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PATENT  
USSN 09/701,623  
Docket No. 1151-4153US1  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Chang Yi WANG et al Group Art Unit: TBA

Serial No : 09/701,623 Examiner: TBA

Int. Filing Date: June 21, 1999

For : PEPTIDE COMPOSITION AS IMMUNOGEN FOR THE TREATMENT OF ALLERGY

**RESPONSE TO NOTIFICATION OF A DEFECTIVE RESPONSE**

Commissioner for Patents  
Washington, DC. 20231

Box: Non-Fee Response

Sir:

This is in response to the Notification of A Defective Response dated July 20, 2001, and Notification to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures copies of which are enclosed. This notification was send without any attached error report.

A Notification of Missing Requirements under 35 U.S.C. 371 dated April 2, 2001, and Notification to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures was received. No reason was attached to the Notice. A second notification was received on April 25, 2001, which stated that the reason for the objection was that the Sequence Listing was embedded in the application and that a separate paper copy of Sequence Listing was required. This was submitted on May 1, 2001 in response to the Notifications. Applicant believed that the submission was in compliance.

However, the present notice is received, without stating any reason for the non-compliance. A telephone call to Mark Spencer, USPTO Scientific and Technical Information Center, Biotechnology Branch, indicated that an error report should have been

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attached and forwarded a copy of the error report. A substitute Sequence Listing is regenerated in the Patentin 2.1 format and it is believed that all of the errors identified in the report are now corrected and should be in compliance with 37 CFR 1.821-1.825. No new matter has been entered hereby entry of the Sequence Listing is requested. The assistance of Mr. Spencer is deeply appreciated.

Enclosed herewith are a disc copy and a paper copy of the substitute Sequence Listing and a Statement Under 37 CFR 1.821(f) stating the paper Sequence Listing and computer readable form of the Sequence Listing are identical.

It is believed that no fees are due for this response. However, if any fees are due the Commissioner is authorized to charge any such fees to Deposit Account No. 13-4500, Order No. 1151-4153US1. A duplicate copy of this sheet is enclosed.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.



Maria C.H. Lin  
Registration No. 29,323

Dated: August 9, 2001

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LIN

## UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/701623	WANG	C 1151-4153US1
MORGAN & FINNEMAN 45 PARK AVENUE NEW YORK, NY 10154 0053		INTERNATIONAL APPLICATION NO. PCT/US99/13959
		I.A. FILING DATE 21 JUN 99
		PRIORITY DATE 20 JUN 98

*OIPE AUG 09 2001*

*PATENTS & TRADEMARKS 2001*

DATE MAILED:

20 JUL 2001

## NOTIFICATION OF A DEFECTIVE RESPONSE

1.  The request for an extension of time (37 CFR 1.136(a)) filed \_\_\_\_\_ is defective because the required fee is missing/insufficient. Extension of time fees are listed at 37 CFR 1.17(a)(1)-(a)(5).
2.  Applicant's response filed \_\_\_\_\_ was received in the Office after the expiration of the period for response set in the Office notification mailed \_\_\_\_\_. This application will become abandoned unless applicant obtains an extension of time to reply to the last Office notification under 37 CFR 1.136(a).
3.  Applicant's response filed 04 MAY 2001 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS (Form PCT/DO/EO/905) mailed 25 APR 2001 have not been completed.

- Translation of the international application into English.
  - which is defective for the reasons indicated on the attached Notice of Defective Translation.
- Processing fee (37 CFR 1.492(f)).
- Oath or Declaration of inventors(s).
  - not in compliance with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- Surcharge (37 CFR 1.492(e)).
- Sequence Listing.
  - not in compliance with 37 CFR 1.821-1.825 for the reasons indicated on the attached PCT/DO/EO/920.
- Additional claim fees..

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements (Form DO/EO/905), whichever is the longer. No extension of this time limit may be granted under 37 C.F.R. § 1.136, but the period for response set in the Notification of Missing Requirements (Form DO/EO/905) may be extended under 37 C.F.R. § 1.136(a).

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

Enclosed:  PCT/DO/EO/917  Notice of Defective Translation  
 PCT/DO/EO/920

Shakeel Ahmed

Telephone: 703-305-3659

FORM PCT/DO/EO/905 (March 2001) 1151-4153US1 ATTY LIN

DUE DATE: August 20, 2001 (1 Mo. Final Resp.)

STATUTORY DATE \_\_\_\_\_

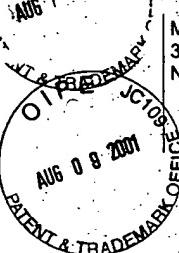
BY *J.M.*



## UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/701623	WANG	C 1151-4153US1
MORGAN & FINNEGAN 345 PARK AVENUE NEW YORK, NY 10154 0053		INTERNATIONAL APPLICATION NO. PCT/US99/13959
		I.A. FILING DATE 21 JUN 99 PRIORITY DATE 20 JUN 98



**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- Other: \_\_\_\_\_

**APPLICANT MUST PROVIDE:**

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

**FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CALL:**

- (703) 308-4216, for Rules interpretation,
- (703) 308-4212, for CRF submission help,
- (703) 287-0200, for PatentIn software help.

Shakeel Ahmed

Telephone: 703-305-3659